

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL BROWN, JR.

Plaintiff,

v.

Case No. 24-cv-13392
HON. MARK A. GOLDSMITH

WAYNE COUNTY CIRCUIT
COURT et al.,

Defendants.

**ORDER (1) GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA
PAUPERIS (Dkt. 2) AND (2) DISMISSING PLAINTIFF'S COMPLAINT**

Plaintiff Daniel Brown, Jr. filed a complaint against Defendants Wayne County Circuit Court, the Honorable Cynthia Diane Stephens, and an unnamed court staff member (Dkt. 1). Brown also filed an application to proceed in forma pauperis (Dkt. 2). The Court has reviewed Brown's application to proceed in forma pauperis and finds him to be indigent. The Court, therefore, grants the application.

Because Brown proceeds in forma pauperis, the Court must screen his complaint to "see if it fails to state a claim or is frivolous." Barnes v. United States Postal Serv., No. 23-cv-11686, 2023 WL 4765571, at *1 (E.D. Mich. July 26, 2023) (citing 28 U.S.C. § 1915(e)(2)(B)). Brown states that he was a defendant in a Wayne County Circuit Court case presided over by the Honorable Cynthia Diane Stephens. Compl. at PageID.2. He contends that the court failed to provide him with trial transcripts that he requested. Id. He alleges violations of due process, equal protection, and state law related to the denial of such transcripts. Id.

The Court finds that it is "unable to discern a viable federal claim on the face of the complaint." See Barnes, 2023 WL 4765571, at *1 (summarily dismissing complaint filed in forma

pauperis). The denial of court transcripts is a matter that is fully remedied within the Michigan court system. In addition, the Defendants in this action have immunity. The court has immunity under the Eleventh Amendment as an extension of the state. See Morgan v. Bd. of Pro. Resp. of the Supreme Ct. of Tenn., 63 F.4th 510, 515 (6th Cir. 2023) (explaining that Eleventh Amendment immunity “extends to departments and agencies that are arms of the state”). The judge has immunity a judicial officer. See Brookings v. Clunk, 389 F.3d 614, 617 (6th Cir. 2004) (“It is well-established that judges enjoy judicial immunity from suits arising out of the performance of their judicial functions.”). And the court staff member has immunity as an extension of both the court and the judge.

For these reasons, the Court dismisses Brown’s action under 28 U.S.C. § 1915(e)(2)(B).

SO ORDERED.

Dated: March 10, 2025
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge